

ENTERED

April 23, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

TOWNSEL MYERS,

Plaintiff,

VS.

CCPD,

Defendant.

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MISC. ACTION NO. 2:20-MC-186

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO DENY PLAINTIFF'S APPLICATION TO PROCEED
IN FORMA PAUPERIS AND TO DISMISS THIS ACTION**

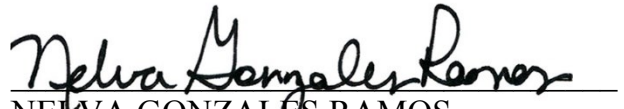
On March 3, 2020, United States Magistrate Judge Jason B. Libby issued his "Memorandum and Recommendation to Deny Plaintiff's Application to Proceed In Forma Pauperis and to Dismiss this Action" (D.E. 4). Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge's Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge's memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge's memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's Memorandum and Recommendation (D.E. 4), and all other relevant

documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's IFP Application (D.E. 1) is **DENIED** and this action is **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief may be granted and/or as frivolous.

ORDERED this 23rd day of April, 2020.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE